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27—40,000—27-10-52.

Home (1949) Department

MS SERIES.

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G.O. No.	4714
Dated	25.11.49

[Despatch Abstract.]

Acts - Madras City Police - Towns Nuisance (Amendment) Act 1941 — Re-enacted permanently — Papers Recorded.

HOME DEPARTMENT:

NOTE FOR THE INFORMAL MEETING OF HON'BLE MINISTERS.

ACTS - The Madras City Police Act, 1888 - Menace of Pathan money lenders - Regulation of the use of lound speakers in places of public resort - The Madras City Police and Towns Nuisances (Amendment) Act, 1941 (Madras Act XXIII of 1941) - Re-enactment.

***

The main object of the Madras City Police and Towns Nuisances (Amendment) Act, 1941 was to deal with the menace of Pathan money lenders in the City of Madras. Numerous complaints had been received by the Govt. that these money lenders ill-treated their debtors. It wa reported that they freely resorted to intimidation and threats of pers personal violence and that at times even criminal force was used by them for the recovery of their dues. There were cases where in the absence of the debtors the members of their families had been intimidated and assaulted. Section 27 of the City of Bombay Police Act, 1902 gave power to the police effectively to deal with cases of this kind. It was considered that a provision similar to that found in the Bombay Act but narrower in scope should be inserted in the Madras City Police Act, 1888. Under section 51-A, as inserted, action can be taken only if the Commissioner of Police is satisfied that not only alarm, danger or harm to person or property or the commission of any offence involving violence will result from the movements or acts of a person but also that witnesses are not willing to come forward to give evidence by reason of apprehensions to their personal safety. Action is confined to persons who have not been born in the City of Madras or in the neighbouring districts. Before an order is passed against any person, he would be duly informed of the material allegations against him and given a reasonable opportunity of defending himself. There is also provision for an appeal to the Government against any order passed by the Commissioner of Police.

Another object was to amend the Madras City Police Act, 1888 and the Towns Nuisances Act, 1889 so as to take power to control and indiscriminate use of loud speakers in public places and thus prevent the annoyance caused to residents in the neighbourhood. A definition of "Public place" has been inserted in the two Act to implement the amendment and also to simplify the language used in certain sections of the two Acts.

The Bill was published for criticism. The objections and suggestions received were considered by the Government. The intention was to make section 51-A(1) applicable only to persons born outside the City of Madras and its suburban areas. A suggestion to include Chittoor was not therefore considered necessary. Another suggestion to confer specifically on the Government the power to stay the operation of the Commissioner's orders, if necessary, was also not considered necessary, as it made explicit what was already implied in the existing sections. His Excellency the Governor enacted the Madras City Police and Towns Nuisances (Amendment) Act, 1941.

The Joint Sect Committee which considered the Madras Re-enacting and Repealing (No.1) Bill of 1948 considered the above Act to be a controversial nature and recommended that it should have its life extended by one year from 30-4-1948 instead of being re-enacted permanently, so that the Government might have time to bring in suitable amendments. The Act has therefore been re-enacted temporarily for a period of one year from 30-4-1948. The Commissioner of Police who was consulted in the matter considers that the Act in question may be re-enacted permanently and that no amendments are necessary. The Inspector-General of Police agrees with the Commissioner of Police.

-2-

3. The Development Department propose to enact legislation to contr the business of money lending by a system of licences to check the menac caused by unscrupulous money lenders including Pathan money lenders, but this will take time, it is proposed to re-enact the Madras City Police and Towns Nuisances (Amendment) Act, 1941 permanently last it should lapse on 30-4-1949. If the legislation proposed in the Development Department will check the menace of pathan money lenders, it is proposed to make necessary provision in that legislation itself to delete section 51-A of the Madras City Police Act.

4. After circulation to all Hon'ble the Ministers and His Excellency the Governor of Madras it was decided that it the Madras City Police and Town Nuisances (Amendment) Act, 1941 might be re-enacted permanently. A Copy of the draft Bill with the statement of objects and reasons prepared by the Legal Department together with a copy of the text of the Madras City Police and Town Nuisances Amendment Act 1941 in the form in which it is proposed to be re-enacted with the reasons for the re-enactment of that Act is enclosed.

5. As the present proposal is only a case of re-enactment permanently of an Act which has already been re-enacted for a period of one year and as the legislation proposed has to be given effect to before 30-4-1949 the date on which the Amendment Act 1941 will lapse, it was proposed that the usual procedure of placing the matter before an Informal Meeting of Hon'ble Ministers might be waived and that orders might be obtained in full circulation to all Hon'ble the Ministers and His Excellency the Governor. The following minutes where recorded by the Hon'ble the Minister for Agriculture and Hon'ble the Premier when the file was circulated:-

"I think the whole of sub-section 51(A) may be omitted. Though it might have been intended against Pathan Money lender the Section is too wide. It will lead to very severe criticism. In very exceptional cases there is the public safety Act. ~~Extxmrigimmiiyxxxxid~~ I had originally said that the whole Act may be re-enacted. But on reading section 51(A) I find it will include not merely Pathan money lenders but anybodyl So all other sections other than 51-A may be re-enacted. In any case this has to be done before 1st May 1949.

K.M. 2/2/49.

"Discuss in the informal meeting

O.P.R./4-2-1949"

6. The question as to what action against the Afghan Pathan Money lenders should be taken to exercise a measure ~~xmmixmi~~ of control over then/ them was considered in November 1947. It was suggested by the Superintendent of Police, Special Branch that action against the Pathan Money lenders might be taken under the Maintenance of Public Order Act. It was considered that apart from harassment of individual debtors, which by itself would be an ~~x~~ inadequate ground, there was nothing in the activities of these money lenders which would warrant action under the Public Safety Act in the interest of public peace and order. It was therefore decided that it was not advisable to take action under that Act.

It was also considered that beyond what is contemplated in the ~~ig~~ legislation under consideration in the Development Department, to regulate and control money lending by a system of licences nothing could be done to eradicate the menace and that attempts to achieve a measure of control over these money lenders were likely to prove futile unless Money lending by these agencies was discouraged.

The provision in the City Police Act, which covers Pathan money lenders, viz. section 51-A which is proposed to be continued beyon 30-4-1949, may not be necessary if and when the legislation to regulate money lending under consideration in the Development is given effect to. But it has been ascertained from that Departmentthat it may take some time before that legislation is passed. Considering this and also the fact at least in so far as the other provision of the amending Act relating to Loud Speakers is concerned intention was to make i permanent, Legal have suggested that the Amendment Act may be -3-

be re-enacted permanently and that if the legislation for control of money lending under consideration in Development provides for a measure of control over the undesirable activities of the money lenders, provision may be made in that legislation itself to delete section 51-A of the City of Police Act.

7. The points for consideration are---

(1) whether the Madras City Police and Town Nuisances Amendment Act, 1941 (Madras Act XXIII of 1941) may be re-enacted permanently as it stands, or

(ii) whether section 51-A may be omitted and the other sections re-enacted permanently.

Sd/- O.PULLA REDDI,
Secretary to Government.

ANNEXURE

A Bill to re-enact the Madras City Police and Towns Nuisances (Amendment) Act, 1941, permanently.

WHEREAS the Governor of Madras, by a proclamation made under section 93 of the Government of India Act, 1935, on the 30th October 1939, assumed to himself all powers vested by or under that Act in the Provincial Legislature and in either Chamber of the Provincial Legislature, subject to the provisions contained in the proclamation; and in exercise of those powers made the Madras City Police and Towns Nuisances (Amendment) Act, 1941; — 26 Geo.5 Ch.2 — Madras Act XXIII of 1941

AND WHEREAS the Madras City Police and Towns Nuisances (Amendment) Act, 1941 was temporarily re-enacted for a period of one year by the Madras Re-enacting and Repealing (No.I) Act, 1948: — Madras Act XXIII of 1941. — Madras Act VII of 1948

AND WHEREAS it is expedient to re-enact the Madras City Police and Towns Nuisances (Amendment Act, 1941, permanently; — Madras Act XXIII of 1941.

It is hereby enacted as follows:-

Short title and Commencement

1.(1) This Act may be called the Madras City Police and Towns Nuisances (Amendment) Re-enactment Act, 1949.

(2) It shall come into force on the 30th day of April 1949.

Permanent re-enactment of Madras Act XXIII of 1941

2. The Madras City Police and Towns Nuisances (Amendment) Act 1941 as temporarily re-enacted by the Madras Re-enacting and Repealing (No.1) Act, 1948, is hereby re-enacted permanently. — Madras Act XXIII of 1941 — Madras Act VII of 1948.

STATEMENT OF OBJECTS AND REASONS.

The Madras City Police and Towns Nuisances (Amendment Act, 1941, was one of the Acts made by the Governor in the exercise of the powers of the provincial Legislature assumed by him by a proclamation under section 93 of the Government of India Act, 1935. The Amending Act was re-enacted by the Madras Re-enacting and Repealing (No.1) Act, 1948, for a period of one year, that is to say, up to and including inclusive of the 29th April 1949. Government now consider it desirable to re-enact it permanently.

The Annexure contains the text of the Madras City Police and Towns Nuisances (Amendment) Act, 1941, in the form in which it is to be re-enacted and the reasons for the re-enactment.

ANNEXURE.

THE MADRAS CITY POLICE AND TOWNS NUISANCES (AMENDMENT) ACT, 1941 (Madras Act XXIII of 1941).

...

An Act further to amend the Madras City Police Act, 1888 and the Towns Nuisances Act, 1889.

Madras Act III of 1888
Madras Act III of 1889

WHEREAS it is expedient further to amend the Madras City Police Act, 1888, and the Towns Nuisances Act, 1889, for the purposes hereinafter appearing; it is hereby enacted as follows:-

1. This Act may be called the Madras City Police and Towns Nuisances (Amendment) Act, 1941. — Short title.

Madras Act III of 1888.

2. In the Madras City Police Act, 1888- — Amendment of Madras Act III of 1888

(i) in section 3, after the definition of "Instruments of gaming", the following definition shall be inserted, namely:-

"'public place' means a place (including a road, street, or way, whether a thoroughfare or not, and a landing place) to which the public are granted access or have a right to resort, or over which they have a right to pass";

(ii) in section 41--

(a) for the words "the public roads, streets, or thoroughfares", "the public roads, streets, thoroughfares, landing places and all other places of public resort and the roads, streests, thoroughfares, landing places or places of public resort", the words "public places" shall be substituted; and

(b) for the words "licence and regulate the use of music in the strrets", the words "licence and regulate or prohibit the use of music or of sound amplifiers in public places", shall be substituted;

(iii) after section 51, the following section shall be inserted, namely:-

"51-A.(1) Whenever the Commissioner is satisfied from information received or otherwise-- — Power to direct removal of persons from City in special cases.

(a) that the movements or act of any person in the City of Madras who has not been born in the said City or in the district of Chingleput, North Arcot or Nellore, are causing, or are calculated to cause, alarm, danger or harm to person or property, or that there are reasonable grounds for believing that such person is engaged or is about to be engaged in the commission of any offence involving force or violence or punishable under Chapter XII, XVI or XVII of the Indian Penal Code or in the abetment of any such offence; and

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(b) that witnesses are not willing to come forward to give evidence in public against such person by reason of apprehension on their part regarding the safety of their person or property,

the Commissioner may, by an order in writing signed by him, direct such person so to conduct himself as shall seem necessary to the Commissioner to prevent such alarm, danger or harm or the Commission of such offence, or require such person to remove himself outside the said City, within such time as may be specified in the order.

Explanation-- For the purposes of this sub-section, the decision of the Commissioner as to whether a person has or has not been born in the City of Madras or in the district of Chingleput, North Arcot or Nellore shall be final.

(2) Before an order is passed against any person under sub-section(1) the Commissioner or any Deputy Commissioner authorised by him shall inform such person in writing of the general nature of the material allegations against him and give him a reasonable opportunity of explaining those allegations. The Commissioner or Deputy Commissioner may also examine any witnesses produced by such person. Any written statement made by such person shall be filed with the record.

Such peson shall be entitled to appear before the Commissioner or Deputy Commissioner by an advocate or attorney for the purpose of explaining the allegations against him and examing the witnesses produced by him.

(3) The Commissioner or the Deputy Commissioner authorised under sub-section (2) may, for the purpose of securing the attendance of any person against whom an order is proposed to be made under sub-section(1), exercise all or any of the powers of a Court under sections 75 to 77 of the Code of Criminal Procedure, 1898.

(4) Any person aggrieved by an order of the Commissioner under sub-section (1) may, within thirty days from the date of such order, appeal to the Provincial Government who may, after considering all the circumstance of the case, confirm, vary or rescind the order. Where an appeal is preferred, to the Provincial Government under this sub-section, they may, at their discretion, subject to such conditions, if any, as they may think fit to impose, stay the operation of the Commissioner's order, pending the passing of final orders on the appeal.

(5) No order passed by the Commissioner under sub-section(1) or by the Provincial Government under the sub-section (4) shall be called in question if any Court except on one or more of the following grounds, namely

(a) that the procedure laid down in sub-section (2) was not followed; or

(b) that there was no material upon which the order could have been based; or

(c) that there was no sufficient ground for believing that witnesses were not willing to come forward to give evidence in public against the person in respect of whom the order was made.

(6)(a) Any person who is guilty of the breach of any direction given to him under sub-section (1) or sub-section (4) shall be punishable with imprisonment which may extend to two years or with fine or both.

(b) If any peson directed under sub-section (1) or sub-section (4) to remove himself outside the City of Madras fails or refuses to do so or re-enters the said City while such direction is in force, the Commissioner may , in lieu of or in addition to prosecuting such person under clause (a), cause him to be arrested and removed in police custody to such place outside the said City as he may direct.

(7) Nothing in this section shall be deemed to require any police Officer to disclose to the person against whom an order is made under sub-section (1) or to any Court the sources of his information or any fact the communication of which, might be, in the opinion of the Commissioner, lead to the disclosure of the identity or name of any informant".

(iv) in section 60, for the words "roads, street or thoroughfare", the words "public place", and for the words "public or private grounds" the words "Private grounds shall be substituted;

(v) in clause (4) of section 64, for the words "bazaar, street, road, yard, thoroughfare or other place", the words "bazaar, yard or public place" shall be substituted;

(vi) in section 71---

(a) in the opening paragraph, for the words "public street, road, thoroughfare or place of public resort", the words "public place" shall be substituted;

(B) in clause xv, after the words "plays any music", the words "or uses any sound amplifier" shall be inserted; and for the words "except at such times and places as shall be, from time to time, allowed", the words "except at such times and places and subject to such conditions as shall, from time to time, be allowed" shall be substituted; and

(c) in clause xvi, for the words "street, road, thoroughfare or place of public resort" in both the places where they occur, the words "public place" shall be substituted;

(vii) in section 72, for the words"public street, place or thoroughfare", the words "public place" shall be substituted;

(viii) in section 73, for the words "public street, thoroughfare or place of public resort" the words "public place" shall be substituted;

(ix) in section 74, for the words"street, road or thoroughfare", the words "public place" shall be substituted; and

(x) in section 75, for the words "in any street or thoroughfare in any place of public amusement or resort", the words "in any public place, in any place of public amusement" shall be substituted.

Amendment of Madras Act III of 1889.

3. In section 3 of the Towns Nuisances Act, 1889-- Madras Act III of 1889.

(i) in the opening paragraph, for the words "public street, road, thoroughfare or place of public resort", the words"public place" shall be substituted;

(ii) after clause(9), the following clause shall be inserted namely:-

P.T.O.

Unauthorised use of sound amplifiers in public places.

"(10) Whoever uses any sound amplifier except at such times and places and subject to such conditions as shall, from time to time, be allowed by an officer of the Police Department not below the rank of a District Superintendent of Police"; and

(iii) after clause (12), the following Explanation shall be added, namely:-

"Explanation-- In this section 'public place' means a place (including a road, street or way, whether a thoroughfare or not, and a landing place) to which the public are granted access or have a right to resort, or over which they have a right to pa--".

REASONS FOR Re-ENACTING THE ABOVE ACT.

The main object of the above Act was to deal with the menace of Pathan money-lenders in the City of Madras. Numerous complaints had been received by the Government that these money-lenders ill-treated their debtors by freely resorting to intimidation and threats of personal violence and at times by actually using criminal force. Cases had also been reported where, in the absence of the debtors, the members of their families had been intimidated and assaulted. The above Act (see section 2(iii) inserting new section 51-A in the Madras City Police Act) therefore empowered the Commissioner of Police to direct persons to conduct themselves peaceably or to quit the City, if he was satisfied (a) that alarm, danger or harm to person or property or the Commission of any offence involving violence resulted from the movements or acts of such persons and (b) that witnesses were not willing to come forward to give evidence against the offenders, out of fear for their personal safety.

Action can be taken under the Act only against persons who had not been born in the City or in the neighbouring districts of Chingleput, North Arcot and Nellore. Before an order is passed against any person, he has to be informed of the material allegations against him and give a reasonable opportunity of defending himself. Provision is also made for an appeal to Government against any order by the Commissioner of Police.

A similar, but more stringent, provision is found in section 27 of the City of Bombay Act, 1902

2. Act XXVIII of 1941 also amended the Madras City Police Act, 1888, and the Towns Nuisances Act, 1889, so as to take power to control the indiscriminate use of loud-speakers in public places in the City and in mufassal towns.

-True copy-

GOVERNMENT OF MADRAS.
Legal Department.
G.O.No.79 dated 30th April 1949.
-:-
Abstract

ACTS - The Madras Re-enacting Act, 1949 - Publication ordered as Madras Act X of 1949.

ORDER:

The Madras Re-enacting Act, 1949, will be published in an Extraordinary issue of Part IV-B of the Fort St. George Gazette in English and in the Tamil, Telugu, Malayalam, Kannada and Hindustani languages as Madras Act X of 1949.

(By order of His Excellency the Governor)

K.N. RAJAGOPALAN
Secretary to Government.

To the S.G.P.
the S.T.G.
the Home, L.A., Edn. & P.H., Revenue and Firka Dev. departments.
the Secretary, Madras Legislature.
the Private Secretary to His Excellency the Governor.

APPENDIX.

The following act of the Madras Legislature received the assent of His Excellency the Governor-General on the 29th April 1949 and is hereby published for general information:-

ACT No.X of 1949

An Act for the re-enactment of certain Acts.

Whereas the Acts specified in the First, Second and Third Schedules were temporarily re-enacted upto and inclusive of 29th day of April 1949, by the Madras Re-enacting and Repealing (No.I) Act, 1948, and the Madras Re-enacting No.(II) Act, 1948; Madras Act VII of 1948 Madras Act VIII of 1948.

AND WHEREAS it is expedient to re-enact the Acts referred to in the First Schedule permanently, the Acts referred to in the Second Schedule permanently but with the modifications set fourth in that Schedule, and the Acts referred to in the Third Schedule temporarily for a further period of one year upto and inclusive of the 29th day of April 1950;

It is hereby enacted as follows:-

Short title and commencement.

1. (1) This Act may be called the Madras Re-enacting Act 1949.

(2) It shall come into force on the 30th day of April 1949.

Permanent re-enactment of certain Acts.

2. (1) The Acts specified in the First Schedule are hereby re-enacted permanently without any modification.

Temporary re-enactment of certain Acts.

(2) The Acts specified in the Second Schedule shall remain in force upto and inclusive of the 29th day of April 1950, and upon the expiry of the said Act--

(a) section 8 of the Madras General Clauses Act, 1891, shall apply as if the said Acts had then been repealed by a Madras Act; Madras Act I of 1891.

(b) save as provided in clause(a), the Acts, if any, amended by the said Acts shall have operation as if the latter had never been enacted.

are hereby re-enacted permanently, with the modifications set forth in the fourth column of that Schedule.

3. The Acts specified in the 3rd Schedule. P.T.O.

THE FIRST SCHEDULE.

Acts permanently Re-enacted.

/See section 2(1)/

Year	Number	Short title.
1	2	3
1940	IX	The Madras Mortor Vehicles Taxation (Amendment) Act, 1940.
1941	X VIII	The Madras Proprietary Estates' Village-service and Hereditary Village-Offices (Amendment) Act, 1941.
1941	XIX	The Madras Public Health (Amendment) Act, 1941.
1941	XXIII	The Madras City Police and Towns Nuisances (Amendment) Act, 1941.
1942	XXVIII	The Madras Hereditary Village-Offices (Amendment) Act, 1942

THE SECOND SCHEDULE

ACTS PERMANENTLY RE-ENACTED WITH SPECIFIED MODIFICATIONS.

/See section 2(2)/

Year	Number	Short title	Modifications.
1	2	3	4
1941	VIII	The Madras City Municipal District Municipalities and Local Boards(Amendment) Act, 1941.	In section2,3 and 4, for the words "may be modified", the words "may, at the instance of the local authorities concerned, be modified", and for the words "may be cancelled", the words "may, at the instance of such local authorities, be cancelled, shall be substituted.
1942	XX	The Madras City Police, Towns Nuisances and Prevention of cruelty to Animals (Amendment) Act, 1942.	In section2,3 and 4(2)-- (i) in the opening paragraph, for the words"the following sub-section", the words "the following sub-sections" shall be substituted; (ii) in new sub-section (2) the portion beginning with the words "and the provisions of" and ending with the words "by a Police Officer" shall be omitted and in lieu thereof, the following new sub-sections (2) aforesaid, namely:- "(3) The agent shall have power to release any person so arrested on his executing a bond, with or without sureties, for his appearance before a Magistrate if and when required. (4) The provisions of the Code of Criminal Procedure, 1898, shall apply to any arrest made or bond taken under this section as if the arrest had been made, or the bond had been taken, under the said Code".

shall be inserted after Sub-section

Act V of 1898

P.T.O.

THE THIRD SCHEDULE.

ACTS TEMPORARILY RE-ENACTED FOR A PERIOD OF ONE YEAR.

(See Section 3)

Year 1.	Number 2	Short title. 3.
1941	XV	The Madras Elementary Education (Amendment) Act, 1941.
1944	V	The Madras Hindu Religious Endowments (Amendment) Act 1944, as amended by Madras Act X of 1946.
1944	XIII	The Tirumalai-Tirupati Devasthanams(Amendment) Act, 1944.
1945	XVI	The Madras City Improvement Trust Act, 1945, as amended by Madras Act XV of 1947.
1946	VIII	The Madras Elementary Education (Amendment) Act, 1946.
1946	X	The Madras Hindu Religious Endowments (Amendment) Act, 1946.

(True copy)

LEGAL DEPARTMENT.

A draft Bill with Statement of Objects and Reasons is placed below.

2. The Bill falls under entries 1, 3 and 14 of the Provincial List and under entries 1 and 2 of the Concurrent Legislative List and is intra vires the Provincial Legislature.

3. In view of the U.O. Note of the Governor's Secretariat No.3200 B/46-1 dated the 1st August 1946 communicated to the departments of the Secretariat with Public (General) Dept. Endorsement No.4257-1 dated the 8th August 1946, consultation with the Government of India under Secretariat Instruction 33-A does not seem to be necessary. The Bill if passed will, however, have to be reserved for the consideration of the Governor-General for the reason stated in the second paragraph of the previous note of this department at pp.5 to 7 nf. of G.O.No.194, Legal dated 10.12.41

4. As section 108 of the Government of India Act, 1935, which required the previous sanction of the Governor before introducing any Bill which seeks to repeal, amend or affect any Act relating to any police force has been repealed by the India (Provisional Constitution) Order, 1947, the previous sanction of H.E. the Governor is not necessary for the Bill.

5. The Bill does not require the recommendation of the Governor under the Government of India Act, 1935.

Sd. x x x 18/1/49.

Legal U.O.No.100/49-1,dt.18-1-49. HOME DEPARTMENT.

This file is concerned with the reenactiment permanently of the Madras City Police and Towns Nuisances (Amendment) Act, 1941 which was passed during section 93 situation and which has been re-enacted temporarily for a period for a period of one year from 30-4-48. Please see the Legal Deptt's note on p.28 and the Draft Bill below prepared by that deptt. The Bill is in accordance with the intention expressed in the memorandum at pp.25-26 c.f. which has already been approved in circulation to all H.Ms.

As the proposed legislation seems to be a simple one i.e., to re-enact permanently the Madras City Police Police and Towns Nuisances (Amendment) Act, 1941 which has already been re-enacted temporarily for one year and as the legislation has to be given effect to before 30-4-49 after obtaing the assent of the Governor-General lest the Amendment Act should lapse, the usual procedure prescribed in Legal Deptt's U.O.Note No.10271/47-1 dated 23-9-47 viz. to place the Bill before an informal meeting of Hon'ble Ministers may be waived in the present case and the file circulated to H.E. thro' all H.Ms. and H.Pr. and orders also taken about the publication of the Bill with reference to Secretariat Insturction 32(6) of Business Rules. (In 1941, the amendment Act was published in English and all the languages of the Province).

Legal may see before circulation.